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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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JAMESON ASHLEY,

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Plaintiff,

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v.

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CITY AND COUNTY OF SAN
FRANCISCO, MICHAEL HENNESSEY,
individually and in his official capacity as
Sheriff of the San Francisco County Sheriff's
Department; and DOES 1 to 30,

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Defendants.

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Before the Court is a joint discovery letter filed on December 13, 2012. (Dkt. No. 62).

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While there is no dispute that Plaintiff Jameson Ashley has put his mental state in controversy and that good cause exists to conduct a Rule 35 mental examination, the parties disagree as to the length and scope of the examination, the presence of a third party during the examination, and whether the examination may be tape recorded. (*Id.*)

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Upon review of the joint letter, the Court ORDERS the parties to submit declarations from their respective psychological experts and/or treating physicians attesting to the facts presented in the 12/13/2012 Joint Letter on or before January 28, 2013. No further briefing is necessary at this time. Upon receipt of the declarations, the Court will decide whether a hearing or further briefing is required to resolve this dispute.

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Dated: January 14, 2013

Case No.: CV-12-00045-JSW (KAW)

ORDER TO SUBMIT DECLARATIONS IN
SUPPORT OF 12/13/2012 DISCOVERY
LETTER



KANDIS A. WESTMORE
United States Magistrate Judge